

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-10 and 12-14 are currently pending, Claims 1, 13, and 14 having been amended. The changes and additions to the claims do not add new matter and are supported by the originally filed specification.

In the outstanding Office Action, Claims 1 and 13 were objected to for informalities; Claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ejima (U.S. Patent No. 7,176,962) in view of Levien (U.S. Patent No. 5,524,162); Claims 1-10 and 12 were allowed; and Claim 14 was objected to as being dependent upon a rejected base claim but containing allowable subject matter.

Applicant thanks the examiner for the indication of allowable subject matter. In view of this indication, Claim 14 has been amended to be in independent form while incorporating the features of independent Claim 13. Therefore, Applicant submits that Claim 14 should be allowed.

With respect to the objections to the claims for informalities, Applicant submits that Claims 1 and 13 have been amended as suggested in the Office Action. Therefore, Applicant respectfully submits that these grounds of objection are overcome.

With respect to the rejection of Claim 13 under 35 U.S.C. §103(a), Applicant respectfully traverses this ground of rejection. Claim 13, recites, *inter alia*,

wherein the sharpness comparison device compares a sharpness value corresponding to a first time period having a first exposure time with a sharpness value corresponding to a second time period having the first exposure time, and if the sharpness value for the first time period having the first exposure time and the sharpness value for the second time period having the first exposure time is the same then it is determined that a blur has not occurred.

Applicant submit that Ejima and Levien fail to disclose or suggest at least these features of Claim 13.

Ejima describes a digital camera and digital processing system for correcting motion blur using spatial frequency. Ejima shows in Figure 4 that an image 1 can be captured at a shutter speed of T/2 seconds (step 104) and that an image 2 can be captured at a shutter speed of T seconds (step 109). The Office Action takes the position that Ejima describes comparing a sharpness based on a plurality of imaging data where it describes comparing spatial frequency components of image 1 and image 2 (see Office Action, at page 3, citing col. 16, lines 20-33 and col. 22, lines 17-20 of Ejima).

The Office Action also takes the position that Ejima discloses “wherein the sharpness comparison device compares a sharpness value corresponding to a first time period having a first exposure time with a second time period having the first exposure time, and if the sharpness value for the first time period having the first exposure time and the sharpness value for the second time period having the first exposure time is the same then it is determined that a blur has not occurred,” on col. 11, lines 48-53 and col. 22, lines 17-30. Col. 11, lines 48-53 of Ejima describes that by correcting the spatial frequency component and more specifically, the high frequency component in a blurred image 2 to the level of the spatial frequency in a non-blurred image 1, based upon the amplitude ratio and the phase difference, it becomes possible to create a blur-free image.

However, this portion of Ejima describes correcting a spatial frequency component of a second image according to a spatial frequency component of a first blur-free image, but it never describes *determining that a blur has not occurred* based on a comparison of sharpness values over two separate time periods. Additionally, as described in col. 11, lines 40-42, *image 1 is obtained at a higher shutter speed than image 2*. Therefore, even if comparing spatial frequencies is considered the same as comparing sharpness values, the

comparison described in this portion of Ejima is between an image having a first exposure time (a high shutter speed) to an image having a different exposure time (the lower shutter speed).

Therefore, Applicant submits that col. 11, lines 48-53 of Ejima fails to disclose or suggest “wherein the sharpness comparison device compares a sharpness value corresponding to a first time period *having a first exposure time* with a sharpness value corresponding to a second time period *having the first exposure time*, and if the sharpness value for the first time period having the first exposure time and the sharpness value for the second time period having the first exposure time is the same then *it is determined that a blur has not occurred*,” as defined by Claim 13.

Furthermore, col. 22, lines 17-30 of Ejima describes that it is judged whether or not an image blur has occurred by comparing the spatial frequency components in the first image data and the second image data. However, col. 21, lines 43-57 of Ejima, which precedes the cited portion, explicitly describes that the first exposure time for the first image must be shorter than the exposure time for the second image. Therefore, Ejima again describes making a comparison for spatial frequency components of first and second image data which have different exposure times.

Therefore, Applicants submit that col. 22, lines 17-30 of Ejima also fails to disclose or suggest “wherein the sharpness comparison device compares a sharpness value corresponding to a first time period *having a first exposure time* with a sharpness value corresponding to a second time period *having the first exposure time*, and if the sharpness value for the first time period having the first exposure time and the sharpness value for the second time period having the first exposure time is the same then it is determined that a blur has not occurred,” as defined by Claim 13.

Thus, Applicants submit that Ejima fails to disclose or suggest the above-mentioned features of Claim 13 as was asserted in the Office Action.

Levien has been considered but fails to remedy the above-mentioned deficiencies of Ejima with regard to Claim 13.

Therefore, Applicants submit that Claim 13 patentably distinguishes over Levien and Ejima, either alone or in proper combination.

Consequently, in light of the above discussion and in view of the present amendment, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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